



# PUBLIC NOTICE

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## **CLARIFICATION OF PUBLIC SAFETY AND GOVERNMENTAL ENTITY LICENSEE NOTIFICATION POLICY**

On April 14, 2004, the Wireless Telecommunications Bureau (Bureau) announced that, effective April 16, 2004, it would send email notices to Public Safety and Governmental Entity (GE) licensees at intervals of 90, 60, 30, and 10 days prior to the license expiration date.<sup>1</sup> The Bureau also announced that it would attempt to contact such licensees by telephone one to nine days prior to the license expiration date, if they had not filed a renewal application.

The Bureau notes that the notification policy is consistent with the Commission's core mandate to "promote safety of life and property" under Section 1 of the Communications Act.<sup>2</sup> Specifically, email notifications to Public Safety and GE licensees (and telephonic notification if needed) could prevent loss of operating authority and a concomitant shutdown of Public Safety communication systems, which are critical for the safety of life and property including Homeland Security.

The notification policy applies to Public Safety licensees with licenses designated with one of the following radio service codes: GF, GP, MW, PA, PW, QM, SL, YF, YP, and YW.<sup>3</sup> The policy applies to all GE licensees, except radio service codes: AB, AI, AS, LP, LV, RP, TB, TI, TP, TS, and TT,<sup>4</sup> provided

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<sup>1</sup> See "Email Notifications Will Be Sent to Public Safety and Governmental Entity Licensees 90, 60, 30, and 10 Days Prior to License Expiration, Beginning April 16, 2004," *Public Notice*, DA 04-1009 (rel. Apr. 14, 2004) (*Notification Policy Notice*). If a renewal application for a license has been filed, no further notifications will be sent for that license. *Id.* The Bureau also advised that notifications would be sent on availability of a valid email address and that it would continue to send letter notifications 90 days prior to license expiration. *Id.*

<sup>2</sup> 47 U.S.C. § 151.

<sup>3</sup> GF (Public Safety Ntl Plan, 821-824/866-869 MHz, Conv.); GP (Public Safety/Spec Emerg, 806-821/851-866 MHz, Conv.); MW (Microwave Public Safety Pool); PA (Public Safety 4940-4990 MHz Band); PW (Public Safety Pool, Conventional); QM(Non-Nationwide Public Safety/Mutual Aid, 220 MHz); SL (Public Safety 700 MHz Band-State License); YF (Public Safety Ntl Plan, 821-824/866-869 MHz, Trunked); YP (Public Safety/Spec Emerg, 806-821/851-866 MHz, Trunked); and YW (Public Safety Pool, Trunked).

<sup>4</sup> AB (Aural Microwave Booster); AI (Aural Intercity Relay); AS (Aural Studio Transmitter Link); LP (Broadcast Auxiliary Low Power); LV (Low Power Wireless Assist Video Devices); RP (Broadcast Auxiliary

that their license in ULS is designated "Government Entity."<sup>5</sup> **THE BUREAU ADVISES ALL LICENSEES THAT THE NOTIFICATION POLICY DOES NOT APPLY TO LICENSEES OTHER THAN PUBLIC SAFETY LICENSEES WITH LICENSES IN ONE OF THE ABOVE SPECIFIED RADIO SERVICE CODES AND GE LICENSEES, SPECIFIED ABOVE.**

The Bureau further advises all licensees that failure of the FCC to send an email notice/make telephone contact (or send a letter to a licensee 90 days prior to expiration) will not excuse a licensee's failure to file a renewal application.<sup>6</sup>

In the *Notification Policy Notice*, the Bureau stated that no notifications would be made for a license that does not have an email address or telephone number entered for the license in the Universal Licensing System (ULS). The Bureau wishes to clarify that the absence of a telephone number in ULS will not preclude email notifications, provided that a valid email address is on file in ULS. Similarly, the Bureau will attempt telephone contact (as described above) absent an email address in ULS, provided that a valid telephone number is on file in ULS. Licensees are encouraged to validate their administrative data in ULS and file an update application if the information is incorrect.

For additional information or assistance, you may visit the web at <http://esupport.fcc.gov> or e-mail questions to [ULSHELP@fcc.gov](mailto:ULSHELP@fcc.gov). You may also call the FCC Support Center at (877) 480-3201 (TTY 202-414-1255) and select Option #2) Forms or Licensing Assistance; Option #3) Electronic Filing Assistance; or Option #9) for someone to direct your call. Hours are from 8 a.m. to 5:30 p.m. Eastern Time, Monday through Friday (except Federal holidays). To provide quality service and ensure security, all telephone calls are recorded.

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Remote Pickup); TB (TV Microwave Booster); TI (TV Intercity Relay); TP (TV Pickup); TS (TV Studio Transmitter Link); and TT (TV Translator Relay).

<sup>5</sup> Licensees indicate on FCC Form 601, 603, or 605, as appropriate, whether they are a "Government Entity."

<sup>6</sup> See Amendment of Parts 0, 1, 12, 22, 24, 26, 27, 80, 87, 90, 95, 97, and 101 of the Commission's Rules to Facilitate the Development and Use of the Universal Licensing System in the Wireless Telecommunications Services, *Report and Order*, 13 FCC Rcd 21027 (1998), ¶96 ("Our decision to use this [90-day] reminder letter as a convenience to licensees does not in any way absolve licensees from timely filing their renewal applications. Failure to file for license renewal before the end of the license term will result in automatic cancellation of the license."), ¶98 ("even if a licensee does not receive a renewal reminder notice, the licensee still must timely file its renewal application . . . not receiving a renewal reminder notice does not excuse the licensee's failure to seek a timely renewal.") and ¶99 ("for the same reasons that other licensees must file their renewal applications on time, so must public safety licensees").